

FILED

OCT 07 2015

CITY CLERK

RESOLUTION NO. 13, 2015

A RESOLUTION APPROVING THE ESTABLISHMENT OF A DWELLING UNIT IN A C-3 COMMERCE DISTRICT.

WHEREAS, the provisions of the Comprehensive Zoning Ordinance establish the permitted uses in a C-3 Regional Commerce District at *Terre Haute City Code* Sec. 10-207g.

WHEREAS, property owners desire to construct and establish a Home2 Suites Hotel on the real estate described in Exhibit A, attached hereto and incorporated herein. Such real estate is zoned in C-3 Regional Commerce District.

WHEREAS, *Terre Haute City Code* Sec. 10-207g(1)(A) prohibits dwelling units, lodging rooms, motels, and mobile home parks unless they are permitted by the Planning Commission and approved by the Common Council. Additionally, the Common Council of the City of Terre Haute may vary the requirements of such provisions to comply with the intent and purpose of the Comprehensive Zoning Ordinance.

WHEREAS, the Comprehensive Zoning Ordinance, as established at *Terre Haute City Code* Sec. 10-20, was created (1) to promote public health, safety, morality, convenience, and the general welfare; (2) to encourage the most appropriate use of land; (3) to conserve and stabilize the value of property; (4) to provide adequate open spaces for light and air; (5) to prevent excessive concentrations of population; and (6) to eliminate congestion on streets and highways.

WHEREAS, the Common Council determines that the establishment of the Home2 Suites on the real estate described herein is consistent with the intent and purposes set forth in the Comprehensive Zoning Ordinance.

THEREFORE, IT IS RESOLVED by the Common Council of the City of Terre Haute that upon receipt of a favorable recommendation from the Planning Commission, the dwelling unit described herein may be established in the C-3 Regional Commerce District.

Introduced by: Bob All
Bob All, Councilman

Passed in open Council this 12th day of November 2015.

Todd Nation
Todd Nation, City Council President

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

Presented by me to the Mayor this 13th day of November, 2015.

Charles P. Hanley
Charles P. Hanley, City Clerk

Approved by me, the Mayor, this 13th day of NOVEMBER, 2015.

Duke A. Bennett
Duke A. Bennett, Mayor

ATTEST: Charles P. Hanley Charles P. Hanley, City Clerk

This instrument prepared by Jeffry A. Lind, Lind Law Firm, 400 Ohio Street, Terre Haute, IN 47807 (812) 234-5463.

Exhibit A

The following Described real estate in Vigo County, Indiana, to wit:

Outlot 5 in the Sycamore Crossings Re-Plat of Lot 3 as platted and recorded April 14, 2009 as Instrument Number 2009004416 being a part of Section 31, Township 12 North, Range 8 West in Lost Creek Township, Vigo County, Indiana.

ORDER OF THE VIGO COUNTY AREA PLAN COMMISSION DETERMINING THAT A
RESOLUTION APPROVING THE ESTABLISHMENT OF A DWELLING UNIT IN A C-3
CONFORMS TO THE COMPREHENSIVE PLAN AND APPROVING THAT
RESOLUTION

WHEREAS, Jeffry A. Lind, Lind Law Firm did on October 7th, 2015 file a resolution to allow a dwelling unit in a C-3 Regional Commerce District and the provisions of the Comprehensive Zoning Ordinance establish the permitted uses in a C-3 Regional Commercial District (Terre Haute City Code 10-207g.).

WHEREAS, the petitioned parcel (84-07-31-476-013.000-009) was rezoned C-3 Regional Commercial District (S.O. #58-00) for the purpose of fostering and encouraging commercial growth to the City of Terre Haute and the petitioner represents a party interested in a development for the purpose of fostering and encouraging commercial growth: together with all appurtenances, related improvements (including infrastructure) and equipment.

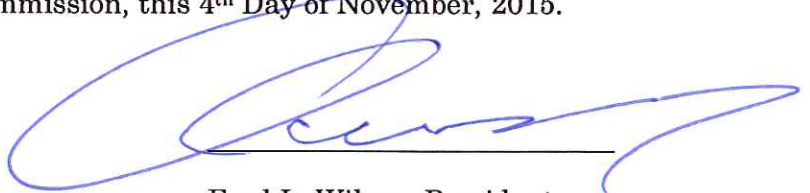
WHEREAS, the Area Plan Commission did (Resolution #14-10) approve an adjacent parcel for a similar use and;

WHEREAS, the Act requires approval of the Resolution by the Vigo County Area Plan Commission ("Plan Commission");

NOW THEREFORE, BE IT ORDERED BY THE VIGO COUNTY AREA PLAN COMMISSION, AS FOLLOWS:

1. The Resolution and Plan, conform to the Comprehensive Plan for the City of Terre Haute, Indiana.
2. The Resolution and Plan, are in all respects approved, ratified and confirmed.
3. The Secretary of the Plan Commission is hereby directed to file a copy of the Resolution with the permanent minutes of this meeting.

Passed by the Vigo County Area Plan Commission, this 4th Day of November, 2015.



Fred L. Wilson, President

Vigo County Area Plan

Commission:

ATTEST:



Norm Froderman, Secretary

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